



foreseeable at the Sizewell A site, there is no longer the legal provision within REPPIR for ONR to continue to specify an off-site emergency planning area for the Sizewell A site;

6. Consequently and correspondingly, there is no longer a requirement for Suffolk County Council to continue to prepare, test and review a REPPIR off-site emergency plan that takes into account a possible radiation emergency for Sizewell A⁽⁴⁾, and

Provision of prior information to the public

7. On the basis that a radiation emergency (within the meaning of REPPIR) is no longer reasonably foreseeable at the Sizewell A site, there is no longer the legal provision within REPPIR for ONR to specify an area in which Magnox Ltd must provide prior information to the public. Therefore REPPIR regulation 16(1) no longer applies.

Following the conclusions above and the effective removal of the REPPIR off-site emergency planning and prior information areas in respect to the Sizewell A site, ONR notes that:

8. As a radiation emergency (within the meaning of REPPIR) is no longer reasonably foreseeable at the Sizewell A site, Magnox Ltd is not required to prepare an operator's emergency plan under regulation 7(1);
9. However, ONR would emphasise that, for as long as work with ionising radiation to which REPPIR applies is carried out on the Sizewell A site, Magnox Ltd remains legally obliged to assess changes to that work, and to periodically review and report assessments as required by regulations 5(1), 5(2), 6(2), 6(3) and 6(4) of REPPIR;
10. The determination set out by ONR in its Project Assessment Report (ONR-COP-PAR-15-012, available on the ONR website) and summarised in this letter, does not affect the requirement for Magnox Ltd to maintain compliance with relevant duties provided through other legislative routes (e.g. the general duty under the Health and Safety at Work etc. Act 1974 to ensure, so far as is reasonably practicable, the safety and welfare of employees and other persons; and under other safety legislation including the Ionising Radiation Regulations (in particular, regulation 12 contingency plans)). Equally, it does not affect the duty of Magnox Ltd to comply with the conditions – in particular, LC11 - attached to the Sizewell A Site Licence. ONR will continue to seek assurance that Magnox Ltd remains compliant with these wider duties through its normal inspection activities. However, it is ONR's expectation that you will review your compliance arrangements to ensure they remain adequate and appropriate in light of this determination and, in making any changes that may be necessary, that relevant regulatory due processes be followed.

I have copied this letter to Sizewell A Employee Safety Representative and Suffolk County Council and the Sizewell B station director.

Yours sincerely,


Superintending Inspector (Nuclear Safety)

(1) The Sizewell A REPPIR off-site emergency planning area is the area for which Suffolk County Council is required, when applicable under REPPIR regulation 9(1), to produce an off-site emergency plan for the protection of persons who are, or potentially may be, located in this area in the event of a radiation emergency. The plans will include public information and a range of protection measures relevant and proportionate to the radiological hazards associated with the Sizewell A nuclear licensed site at appropriate locations within all or part of this area.

(2) The Sizewell A REPPIR off-site prior information area is the area within which the operators are required, when applicable under REPPIR regulation 16(1), to supply to members of the public as a



minimum, in an appropriate manner and without their having to request it, the information specified in Schedule 9. The operator shall also make that information publicly available.

(3) The current REPPiR off-site emergency planning area is identified as the 'Detailed Emergency Planning Zone' (DEPZ) as the area determined by ONR in 2014.

(4) The ONR assessment does not affect the status of the off-site emergency planning area (referred to as the 'detailed emergency planning zone' in Suffolk County Council's current Sizewell Off-Site Plan) for Sizewell (which reflects the residual potential for a reasonably foreseeable radiation emergency from the Sizewell B site), which will remain as the area determined by ONR in 2014.

Distribution

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